

RECEIVED  
CENTRAL FAX CENTER

DEC 07 2004

**TUCKER ELLIS & WEST LLP**  
ATTORNEYS AT LAW

1150 Huntington Bldg. 925 Euclid Avenue Cleveland, Ohio 44115-1475

phone 216.592.5000 fax 216.592.5009 Web: www.tuckerellis.com

CLEVELAND LOS ANGELES SAN FRANCISCO

**ORIGINAL WILL NOT BE SENT**

To:	COMPANY:	FAX NO:
	USPTO	(703) 872-9306

FROM:	<u>Larry B. Donovan</u>	DATE:	<u>12/7/2004</u>	TIME:	<u>5:00:12 PM</u>
Direct Dial:	<u>216.696.3864</u>	E-Mail:	<u>larry.donovan@tuckerellis.com</u>		
TOTAL NO. OF PAGES:	<u>11</u>	CLIENT/MATTER:	<u>72255/02659</u>		

(including cover page)

**COMMENTS**

Serial No. 09/652,511

Response to Office Action dated 09/08/2004

**CONFIDENTIALITY NOTICE**

The information in this fax transmission and the documents accompanying it contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the original documents to us.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl No. : 09/652,511 Confirmation No. 4471  
Applicant : Kenneth W. Batchner  
Filed : August 31, 2000  
TC/A.U. : 2665  
Examiner : Justin M. Philpott  
Docket No. : 72255/02659  
Customer No. : 23380

**RECEIVED**  
**CENTRAL FAX CENTER**  
**DEC 07 2004**

**FAXED TO: (703) 872-9306**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office action of September 8, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.